



MAYOR AND COUNCIL REGULAR MEETING NOTICE & AGENDA

The City of Tucson has a council-manager form of government. Policies are set by the Mayor and Council, who are elected by the people. Policies are carried out by the City Manager, who is appointed by the Mayor and Council. The Mayor and Council decides what is to be done; the City Manager, operating through the entire City staff, does it.

REGULAR COUNCIL MEETINGS

The Mayor and Council usually meet the first four Mondays of each month in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.

5:30 p.m. session [Order of business]

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| <ul style="list-style-type: none"> Invocation and Pledge of Allegiance Presentations Summary of Current Events Liquor license applications Consent Agenda | <ul style="list-style-type: none"> Call to the Audience. Individuals may speak up to three minutes. Call to the Audience will be limited to thirty minutes. Speakers may address any matter except items noticed as a Public Hearing. Public Hearings. Individuals may speak up to five minutes. Each public hearing is limited to one hour. Other Mayor and Council business as listed on the agenda for the meeting. |
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Copies of the agenda are available during the meeting. Additionally, the agenda, as well as reference documents, are available in the City Clerk's office prior to each meeting and on the City's web site : www.tucsonaz.gov/agdocs

Ordinances and resolutions (the laws of Tucson) are considered during regular meetings. Those adopted with the emergency clause and the affirmative vote of five members of the Council take effect immediately. Those adopted without the emergency clause take effect thirty days after passage. Unless the Mayor or a member of the Council requests that an ordinance or resolution be read in full, it is read by number and title only. Routine items are scheduled under the heading of Consent Agenda, which allows a number of actions to occur with a single motion.

To better serve everyone in the community, the Mayor and Council chambers is wheelchair accessible. An assistive listening system for the hearing impaired is in place and closed captioning is available on cable television. A request for reasonable accommodation for persons with disabilities must be made in the City Clerk's Office at least two working days prior to the meeting and can be made by calling 791-4213 or 791-2639 (TDD).

PARTICIPATION BY THE PUBLIC

As a courtesy to others, please turn off or put in vibrate mode all pagers and cell phones.

To address the Mayor and Council:

- Complete a speaker's card and deposit it in the tray on the podium. Upon being recognized, state your name and address before proceeding.
- Submit written comments to the Mayor and Council (via the City Clerk) prior to and during the meeting.
- Call the Mayor and Council Citizen Comment Line at 791-4700 or write the City's Web Site, www.tucsonaz.gov/agdocs. Your comments will be transcribed and distributed to the Mayor and Council.

Persons attending the meeting shall observe rules of propriety, decorum, and good conduct, and refrain from impertinent or slanderous remarks. Violation of this rule shall result in such persons being barred from further audience before the governing body. A copy of the complete rules and regulations may be obtained from the City Clerk.

Robert E. Walkup – Mayor
Fred Ronstadt – Vice Mayor

Council Members

José J. Ibarra	Ward 1	Shirley C. Scott	Ward 4
Carol W. West	Ward 2	Steve Leal	Ward 5
Kathleen Dunbar	Ward 3	Fred Ronstadt	Ward 6

Revisions to the agenda can occur up to 24 hours prior to the meeting. Contact the City Clerk at 791-4213 (TDD: 791-2639, FAX: 791-4017 or WEB SITE: www.tucsonaz.gov/agdocs, 9th floor, City Hall, 255 W. Alameda for up-to-date information Monday through Friday, 8:00 a.m. to 5:00 p.m. [holidays excepted]. Live coverage of the meeting is cablecast on Tucson 12 and on Comcast Channel 59 (Mondays only). In addition, replays of the meetings are cablecast on Tucson 12 as follows:
 Tuesdays – 9:00 p.m. Wednesdays – 9:00 a.m. Sundays – 9:00 a.m.
 VHS tapes of meetings are available at the Tucson Main Library, 101 N. Stone.



MAYOR & COUNCIL MEETING NOTICE & AGENDA

REGULAR MEETING

**MONDAY, MAY 24, 2004 – 5:30 P.M.
MAYOR AND COUNCIL CHAMBERS
(CITY HALL, 255 WEST ALAMEDA, TUCSON, ARIZONA)**

1. ROLL CALL

2. INVOCATION AND PLEDGE OF ALLEGIANCE

INVOCATION – Reverend Carol Chandler, United Methodist Church

PLEDGE OF ALLEGIANCE – Mayor, Council and public in attendance

PRESENTATIONS

(a) Presentation of Energy Awards to the City of Tucson:

- (1) Southern Arizona Energy Award and the State of Arizona Governor's Award for Excellence for the Tucson House Energy Star Project
- (2) State of Arizona Governor's Award for Excellence, entitled "Sustainable Energy Standard the Easy Way" For the El Rio Adult Education Center

(b) Proclamation – Proclaiming June 3, 2004 to be National Hunger Awareness Day

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

(a) Report from City Manager MAY24-04-251 CITY-WIDE

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS

(a) Report from City Manager MAY24-04-252 CITY-WIDE

5. LIQUOR LICENSE APPLICATIONS

(a) Report from City Manager MAY24-04-250 CITY-WIDE

(b) LIQUOR LICENSE APPLICATION(S)

New License(s)

(1)	BIRRIERIA LOS CUATES 4749 S. 12 th Avenue Applicant: Juan G. Armenta Alvarado City #024-04, located in Ward 5 Series #12 Action must be taken by: June 4, 2004	<u>Staff Recommendation</u> Police: In Compliance DSD: In Compliance Bus. License: In Compliance
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NOTE: State law provides that for a new license application, "In all proceedings before the governing body of a city...the applicant bears the burden of showing that the public convenience requires and that the best interest of community will be substantially served by the issuance of a license". (A.R.S. Section 4-201)

(c) Special Event(s)

(1)	COMITE DE FESTIVIDADES MEXICANAS 3700 S. La Cholla Blvd. Applicant: Mercedes M. Guerrero City #T049-04, located in Ward 1 Date of Event: June 12, 2004 (Anniversario)	<u>Staff Recommendation</u> Police: In Compliance DSD: In Compliance Parks & Rec.: In Compliance
(2)	TUCSON MUSEUM OF ART 140 N. Main Avenue Applicant: Charlie E. Bodden City #T050-04, located in Ward 1 Date of Event: June 4, 2004 (Fundraiser for Museum, bring public downtown)	<u>Staff Recommendation</u> Police: In Compliance DSD: In Compliance
(3)	TUCSON MUSEUM OF ART 140 N. Main Avenue Applicant: Charlie E. Bodden City #T051-04, located in Ward 1 Date of Event: June 12, 2004 (Education fundraiser for TMA school)	<u>Staff Recommendation</u> Police: In Compliance DSD: In Compliance

- (4) OUR MOTHER OF SORROWS
1800 S. Kolb Road
Applicant: Thomas M. McGuire
City #T053-04, located in Ward 4
Date of Event: June 4, 2004
June 5, 2004
June 6, 2004
(Annual Parish Fundraiser)

Staff Recommendation

Police: In Compliance
DSD: In Compliance

**PUBLIC OPINION: PROTESTS FILED
SUPPORT FILED**

6. CONSENT AGENDA ITEMS A THROUGH P

FOR COMPLETE DESCRIPTION OF ITEMS
SEE ATTACHED CONSENT AGENDA

Matters listed under the Consent Agenda are considered to be routine and will be enacted by one motion and one vote. There will be no separate discussion of these items. If discussion is desired by members of the governing body, that item will be removed from the Consent agenda and will be considered separately.

7. CALL TO THE AUDIENCE

At this time, any member of the public is allowed to address the Mayor and City Council on any issue except for items scheduled for a public hearing at the meeting. Speakers are limited to three minute presentations. Speakers must state their name, address, whether they reside in the City of Tucson, whom they represent, and the subject matter. Any person who is representing a person other than themselves and is receiving compensation to influence an action by the Mayor and Council, shall, before speaking, identify themselves as a "retained speaker". Pursuant to the Arizona Open Meeting Law, individual Council Members may ask the City Manager to review the matter, ask that the matter be placed on a future agenda, or respond to criticism made by speakers. However, the Mayor and Council may not discuss or take legal action on matters raised during "call to the audience".

8. PUBLIC HEARING: AMENDING TUCSON CODE (CHAPTER 27) - RELATING TO WATER, BACKFLOW AND CROSS-CONNECTION CONTROL ORDINANCE

- (a) Report from City Manager MAY24-04-268 CITY-WIDE
- (b) Hearing on the adoption of an update to the Backflow and Cross-Connection Control Ordinance
- (c) Ordinance No. 9976 relating to water; amending the Tucson Code Chapter 27, Water, by repealing Article V, Backflow Prevention and Cross-Connection Control and enacting a new Article V, Backflow Prevention and Cross-Connection Control; and declaring an emergency.

The proposed ordinance includes a July 1, 2004 effective date.

9. PUBLIC HEARING: TUCSON WATER MISCELLANEOUS FEES, ORDINANCE ADOPTION

- (a) Report from City Manager MAY24-04-270 CITY-WIDE & OUTSIDE CITY
- (b) Hearing on the proposed changes in Tucson Water miscellaneous fees.
- (c) Ordinance No. 9977 relating to water; amending certain portions of the Tucson Code, Chapter 27, Article I, In general, Section 27-9 Application for Service Required, Payment of Charges Prerequisite to Service, Deposits, Amount, Refund, Utility Service Bond; Chapter 27, Article II, Rates and Charges, Section 27-16.2, Permit for Construction Water, Section 27-30, Service Charge, Section 27-33, Monthly Potable Water Service Charges, Section 27-35, Charges for Installation of Water Service Connections, Section 27-37, Agreements for Construction of Water Facilities Authorized, Section 27-43, Charge when Meter Not Registering Properly; and declaring an emergency.

The City Manager recommends that, following the public hearing, the Mayor and Council adopt the proposed ordinance and set June 28, 2004 as the effective date for the changes.

10. PUBLIC HEARING: FALSE ALARM ORDINANCE

- (a) Report from City Manager MAY24-04-249 CITY-WIDE
- (b) Hearing regarding the adoption of a new false alarm ordinance as recommended by the Alarm Advisory Task Force.

- (c) Ordinance No. 9975 relating to alarm companies and false alarms; amending Tucson Code Chapter 7 (“Businesses Regulated”) by adding a new Article XXI (“Alarm Companies”), consisting of Sections 7-450 through 7-464; adding definitions and license requirements; specifying types of licenses; providing reciprocity for licenses issued by other Arizona municipalities; specifying required contents for license applications; requiring background investigations; establishing license fees, display requirements; and criteria and procedures for issuance, renewal, suspension, revocation, termination, cancellation, denial, and review of denial of licenses, and for application after denial, suspension or revocation; establishing penalties for violation of license provisions; amending Tucson Code Chapter 11 (“Crimes and Offenses”) by amending Section 11-2, pertaining to false alarms, and subdividing and renumbering it as Sections 11-2.1 through 11-2.8; amending definitions, alarm operator’s duties, prohibitions, and penalties; adding alarm business duties; repealing common cause exception; and declaring an emergency.

11. PUBLIC HEARING: ALTERED DOG LICENSE FEE

- (a) Report from City Manager MAY24-04-261 CITY-WIDE
- (b) Hearing on the proposed increase in the altered dog license fee from \$8.00 to \$10.00 to be consistent with Pima County. The fee for seniors and persons with a disability will remain \$6.00.
- (c) Ordinance No. 9978 relating to animals and fowl; providing for an increase in the license fee for altered dogs; amending the Tucson Code by amending Section 4-82; and declaring an emergency.

12. MEMORANDUM OF UNDERSTANDING: BETWEEN THE MAYOR AND THE CHAIRPERSON OF THE PIMA COUNTY BOARD OF SUPERVISORS REGARDING 1997 TRANSPORTATION BOND PROJECTS WITHIN THE CITY LIMITS (CONTINUED FROM MEETING OF MAY 17, 2004)

- (a) Report from City Manager MAY24-04-271 CITY-WIDE
- (b) Resolution No. 19830 relating to the 1997 Pima County Transportation Bond Program; ratifying and approving the Memorandum of Understanding between the Mayor of the City of Tucson and the Chairperson of the Pima County Board of Supervisors for seven 1997 Pima County Transportation Bond Program projects within the City limits; and declaring an emergency.

13. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

- (a) Report from City Manager MAY24-04-253 CITY-WIDE

14. ADJOURNMENT

The next regularly scheduled meeting of the Mayor and Council will be held on Monday, June 7, 2004, at 5:30 p.m. in the Mayor and Council Chambers, City Hall, 255 W. Alameda, Tucson, Arizona.